

# Memorandum



**Date:** July 10, 2007

**To:** Honorable Chairman Bruno A. Barreiro and Members,  
Board of County Commissioners

Agenda Item No. 8(D)(1)(B)

**From:** George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", written over the printed name of the County Manager.

**Subject:** Resolution Authorizing the Execution of a County Disclaimer for the Release of the North 25 Feet of Unneeded Canal Maintenance Easement, Within Lot 3, Block 30, of SUNSET HARBOR SECTION V, a Subdivision in Section 26, Township 54 South, Range 39 East, According to the Plat Thereof, as Recorded in Plat Book 135, at Page 39 of the Public Records of Miami-Dade County, Florida (WC-856)

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## **Recommendation**

It is recommended that the Board approve the attached Resolution authorizing the execution of a County Disclaimer for the release of unneeded canal maintenance easement.

## **Scope**

The release of the subject easement, located at 12895 S.W. 58 Lane, Commission District 10, shall have no countywide impact.

## **Fiscal Impact/Funding Source**

N/A

## **Track Record/Monitor**

N/A

## **Background**

By virtue of the plat of SUNSET HARBOUR SECTION V, recorded in Plat Book 135 at Page 39 of the Public Records of Miami-Dade County, Florida, a 25-foot canal maintenance easement, as required by the Department of Environmental Resources Management for SW 60 Street Extension Canal, was dedicated to Miami-Dade County free of charge. This easement was intended for use in the maintenance of the adjacent canal, which is represented in the Water Control Master Plan as part of the County canal system. Ms. Lidia Rial, the owner of Lot 3, Block 30 of the aforesaid plat, whose property at 12895 SW 58 Lane is encumbered by said easement, is requesting its release.

The Public Works Department and the Department of Environmental Resources Management have reviewed this request and determined that the subject easement within the applicant's property is not needed in the maintenance of the adjacent canal. Therefore, the Department of Environmental Resources Management recommends approval of the attached County Disclaimer by the Board.

A handwritten signature in black ink, appearing to read "G. Burgess", written over the printed name of the County Manager.

Assistant County Manager

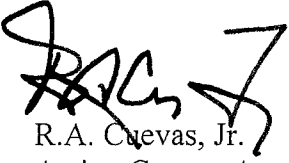


# MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

DATE: July 10, 2007

FROM:   
R.A. Cuevas, Jr.  
Acting County Attorney

SUBJECT: Agenda Item No. 8(D)(1)(B)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 8(D)(1)(B)

Veto \_\_\_\_\_

07-10-07

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE EXECUTION OF  
A COUNTY DISCLAIMER FOR THE RELEASE OF  
THE NORTH 25 FEET OF UNNEEDED CANAL  
MAINTENANCE EASEMENT, WITHIN LOT 3, BLOCK  
30, OF SUNSET HARBOR SECTION V, A  
SUBDIVISION IN SECTION 26, TOWNSHIP 54  
SOUTH, RANGE 39 EAST, ACCORDING TO THE  
PLAT THEREOF, AS RECORDED IN PLAT BOOK  
135, AT PAGE 39 OF THE PUBLIC RECORDS OF  
MIAMI-DADE COUNTY, FLORIDA

**WHEREAS**, this Board desires to accomplish the purposes outlined in the  
accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves the  
release of the North 25 feet of unneeded canal maintenance easement, within Lot 3, Block  
30, of SUNSET HARBOR SECTION V, a subdivision in Section 26, Township 54 South,  
Range 39 East, according to the plat thereof, as recorded in Plat Book 135, at page 39 of  
the Public Records of Miami-Dade County, Florida, and authorizes execution and recording  
of a Disclaimer by the Mayor in substantially the form attached hereto and made a part  
hereof.

The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of July, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency. PST

Peter S. Tell

MIAMI-DADE COUNTY, FLORIDA, DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS that MIAMI-DADE COUNTY, a political subdivision of the State of Florida, does hereby give notice that it disclaims certain rights, title and interests for canal maintenance purposes which said MIAMI-DADE COUNTY has in the following described lands lying and being in Miami-Dade County, Florida, to wit:

The North 25 feet of Lot 3, Block 30, of SUNSET HARBOR SECTION V, a subdivision in Section 26, Township 54 South, Range 39 East, according to the plat thereof, as recorded in Plat Book 135, at page 39 of the Public Records of Miami-Dade County, Florida.

This instrument was prepared by:

Walid Abusad of  
Miami-Dade County Environmental  
Resources Management  
701 N.W. 1<sup>st</sup> Court, 6<sup>th</sup> Floor  
Miami, Florida 33136

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NOW, THEREFORE, MIAMI-DADE COUNTY DOES issue this disclaimer.

IN WITNESS WHEREOF MIAMI-DADE COUNTY FLORIDA, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor and the Clerk or Deputy Clerk of said Board on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

Sign: \_\_\_\_\_

Sign: \_\_\_\_\_

Print: \_\_\_\_\_

Print: Carlos Alvarez

Title: County Mayor

Address: 111 N.W. 1<sup>st</sup> Street  
Metro-Dade Center  
Miami, Florida 33128

STATE OF FLORIDA       )  
COUNTY OF MIAMI-DADE )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who has produced  
\_\_\_\_\_ as identification and who did take an oath.

NOTARY PUBLIC:

Sign \_\_\_\_\_

Print \_\_\_\_\_

STATE OF FLORIDA at large  
(Seal)

My commission expires: \_\_\_\_\_



X - APPLICANT  
12895 SKY 58 LN.  
lot 3 Block 30  
lot 10 Block 30

Highways  
Major Streets  
Canvas  
33  
57



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SCALE: 1 inch = 150.58 Feet